

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Filing Receipt Corrections, Office of Initial Patent Examination, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 9/29/04

Signature: Fani Malikouzakis (Fani Malikouzakis)

HUBR 1260 (10404225)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Norbert HOFGEN et al.

Confirmation No. 5382

Application No.: 10/824,342

Group Art Unit: 1615

Filed: April 14, 2004

Examiner: Not Yet Assigned

For: 5-HYDROXYINDOLES WITH N-OXIDE GROUPS  
AND THE USE THEREOF AS THERAPEUTIC  
AGENTS

**REQUEST FOR CORRECTED FILING RECEIPT**

Filing Receipt Corrections  
Office of Initial Patent Examination  
Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has the following error:

In the Applicants section, please change the second inventor's name to -- **Hildegard** Kuss --.

Applicants are submitting a copy of the executed Declaration indicating the correct information. Please refer to the copy of the filing receipt, wherein the change is indicated.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Applicant believes no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. **HUBR 1260 (10404225)** from which the undersigned is authorized to draw.

Respectfully submitted,

By James R. Crawford  
James R. Crawford  
Registration No.: 39,155  
FULBRIGHT & JAWORSKI L.L.P.  
Attorney for Applicant

666 Fifth Avenue  
New York, New York  
(212) 318-3000  
(212) 318-3400 (fax)



IFW Page 1 of 2  
*Receipt*

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/824,342	04/14/2004	1615	900	HUBR-1260-US		19	1

CONFIRMATION NO. 5382

24972  
FULBRIGHT & JAWORSKI, LLP  
666 FIFTH AVE  
NEW YORK, NY 10103-3198

UPDATED FILING RECEIPT



\*OC000000013796834\*

Date Mailed: 09/14/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

*Hildegard*  
Norbert Hofgen, Ottendorf-Okrilla, GERMANY;  
Hildegard Kuss, Dresden, GERMANY;  
Karin Steinike, Radebeul, GERMANY;  
Ute Egerland, Radebeul, GERMANY;  
Chris Rundfeldt, Coswig, GERMANY;  
Thomas Pfeifer, Radebeul, GERMANY;

**Power of Attorney:**

Peter Feife--20297  
Gerald E. Helget--30948  
James Crawford--39155  
Chai Im--40657  
Bruce Koch--41905

**Domestic Priority data as claimed by applicant**

**Foreign Applications**

GERMANY DE-103 18 609.3 04/24/2003

If Required, Foreign Filing License Granted: 06/23/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,  
**US10/824,342**

**Projected Publication Date:** 12/23/2004

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

5-hydroxyindoles with N-oxide groups and the use thereof as therapeutic agents

**Preliminary Class**

424

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

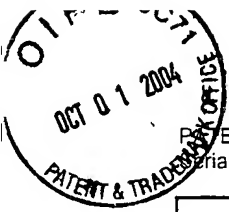
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Docket No.

HUBR-1260-US

### Declaration and Power of Attorney for Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

5-HYDROXYINDOLES WITH N-OXIDE GROUPS AND THE USE THEREOF AS THERAPEUTIC AGENTS

the specification of which (check one)

☐

Is attached hereto.

☒

was filed on

April 14, 2004

U. S. Serial No: 10/824,342

And was amended on

(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign applications(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

Priority Not  
Claimed

DE-103 18 609.3 (Number)	DE (Country)	April 24, 2003 (Filing Date)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Filing Date)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Filing Date)	<input type="checkbox"/>

PATENT Docket No.  
Serial No.

Page 2 of 3

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____	_____	_____
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Page 3 of 3

PATENT Docket No.  
Serial No.

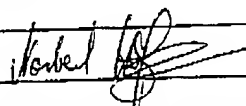
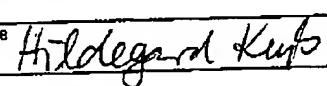
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Peter F. Felfe, Reg. No. 20,297, Norman D. Hanson, Reg. No. 30,946, John A. Bauer, Reg. No. 32,554, James R. Crawford, Reg. No. 39,155, Andrew Im, Reg. No. 40,657 and Bruce K. Koch, Reg. No. 41,905 my attorneys with full power of substitution and revocation.

Send Correspondence to: James R. Crawford  
CUSTOMER NO. 24972  
Fulbright & Jaworski L.L.P.  
666 Fifth Avenue  
New York, New York 10103

Customer No: 24972

Direct Telephone Calls to: James R. Crawford, 212-318-3148

Full name of first inventor, if any	
Nobert HÖFGEN	
First inventor's signature	Date
X 	X 06/07/2004
Resident	
Hufenweg 1, 01458 Ottendorf-Okrilla, Germany	
Citizenship Germany	
Post Office Address	
SAME AS ABOVE	
Full name of second inventor, if any	
Hildegard KUSS	
Second inventor's signature	Date
X 	X 10/08/2004
Resident	
Kieler Strasse 6, 01109 Dresden, Germany	
Citizenship Germany	
Post Office Address	
SAME AS ABOVE	

Page 4 of 3

PATENT Docket No.  
Serial No.

Full name of third inventor, if any	
Karin STEINKE	
Third inventor's signature	Date
X <i>K. Steinke</i>	X 13.07.04
Resident	
Ledenweg 4c, 01445 Radebeul, Germany	
Citizenship German	
Post Office Address	
SAME AS ABOVE	

Full name of fourth inventor, if any	
Ute EGERLAND	
Fourth inventor's signature	Date
X	X
Resident	
Magdalenenstr. 1, 01445 Radebeul, Germany	
Citizenship German	
Post Office Address	
SAME AS ABOVE	

Full name of fifth inventor, if any	
Chris RUNDFELDT	
Fifth inventor's signature	Date
X	X
Resident	
Metanchthonstr. 11, 01640 Coswig, Germany	
Citizenship German	
Post Office Address	
SAME AS ABOVE	

Full name of sixth inventor, if any	
Thomas PFEIFER	
Sixth inventor's signature	Date
X	X
Resident	
Wichernstr. 5, 01445 Radebeul, Germany	
Citizenship German	
Post Office Address	
SAME AS ABOVE	

Page 4 of 3

PATENT Docket No.  
Serial No.

Full name of third inventor, if any Karin STEINKE	
Third inventor's signature X	Date X
Resident Ledenweg 4c, 01445 Radebeul, Germany	
Citizenship German	
Post Office Address  SAME AS ABOVE	

Full name of fourth inventor, if any Ute EGERLAND	
Fourth inventor's signature X <i>U. Egerland</i>	Date X 12.7.04
Resident Magdalenenstr. 1, 01445 Radebeul, Germany	
Citizenship German	
Post Office Address  SAME AS ABOVE	

Full name of fifth inventor, if any Chris RUNDFELDT	
Fifth inventor's signature X <i>Chris Rundfeldt</i>	Date X 8.6.04
Resident Melanchthonstr. 11, 01640 Coswig, Germany	
Citizenship German	
Post Office Address  SAME AS ABOVE	

Full name of sixth inventor, if any Thomas PFEIFER	
Sixth inventor's signature X <i>T. Pfeifer</i>	Date X 13.08.04
Resident Wichernstr. 5, 01445 Radebeul, Germany	
Citizenship German	
Post Office Address  SAME AS ABOVE	